



PATENT  
Customer No. 22,852  
Attorney Docket No. 08048.0023-01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
Jean-Louis H. GUERET ) Group Art Unit: Unknown  
)  
Application No.: 10/810,644 ) Examiner: Unknown  
)  
Filed: March 29, 2004 )  
)  
For: DEVICE AND METHOD FOR )  
APPLYING A COSMETIC )  
PRODUCT )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached Form PTO 1449. This Information Disclosure Statement is being filed within three months of the filing date of the above referenced application and before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of some of the listed documents were previously cited in parent application no. 09/779,873, filed February 8, 2001, upon which Applicant relies for the benefits provided in 35 U.S.C. § 120. Copies of the listed documents that were not cited in application no. 09/779,873 (i.e., WO 02/062142 and all of the "Other Documents" listed on the Form PTO 1449 except the English language translation of FR 2 588 835) are provided. Applicant respectfully requests that the Examiner consider the

listed documents and indicate that they were considered by making appropriate notations on the attached Form PTO 1449.

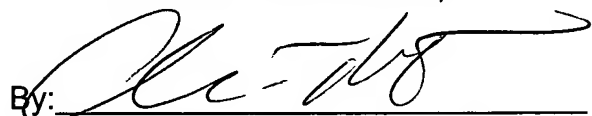
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the U.S. Patent and Trademark Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

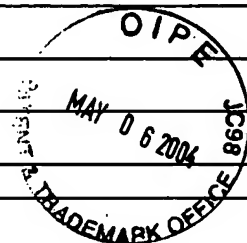
By: 

Christopher T. Kent  
Reg. No. 48,216

Dated: May 6, 2004

## INFORMATION DISCLOSURE CITATION

Atty. Docket No.	08048.0023-01	Appln. No.	10/810,644
Applicant	Jean-Louis H. GUERET		
Filing Date	March 29, 2004	Group:	Unknown



## U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	4,631,297	12/1986	Battice et al.			
	4,806,572	2/1989	Kellett			
	5,013,459	5/1991	R.L. Gettings et al.			
	5,105,993	4/1992	La Haye et al.			
	5,154,325	10/1992	Ryder et al.			
	5,928,631	7/1999	Lucas et al.			
	6,180,584	1/2001	Sawan et al.			

## FOREIGN PATENT DOCUMENTS

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
DE 34 38 186 A1	4/1986	Germany			
EPO 302 575	2/1989	EPO			
FR 2 588 835	4/1987	France			Yes
WO 02/062142	8/15/02	PCT			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	The Map to Microbial Control, Byotrol Technical Data Sheet, 2 pages (publication date unknown).
	Byotrol <i>Material Safety Data Sheet</i> , acc to ISO/DIS 11014, 6 pages, Aug. 15, 2001.
	Byotrol Information Page, printed on Feb. 25, 2004, at <a href="http://www.byotrol.com/how.htm">http://www.byotrol.com/how.htm</a> .
	Preliminary Results of Acute Toxicity Testing with Byotrol E4L Concentrate and 2% w/w Solution, printed on Feb. 25, 2004, at <a href="http://www.byotrol.com/toxicity.htm">http://www.byotrol.com/toxicity.htm</a> .
	Byotrol is a biodegradable biocide!, printed on Feb. 25, 2004, at <a href="http://www.byotrol.com/bio.htm">http://www.byotrol.com/bio.htm</a> .
	Byotrol LLC was established ....., printed on Feb. 25, 2004, at <a href="http://www.byotrol.com/company.htm">http://www.byotrol.com/company.htm</a> .
	Biocides, Chemical or Physical agents that kill or inactivate micro-organisms, printed on Feb. 25, 2004, at <a href="http://www.byotrol.com/glossary.htm">http://www.byotrol.com/glossary.htm</a> .
	The Principles Behind Byotrol, 2 pages, printed on March 24, 2004, at <a href="http://www.hansonco.net">http://www.hansonco.net</a> .
	Byotrol an Introduction, Mike McNicholas, Byotrol LLC, 19 pages, printed on March 25, 2004, at <a href="http://dis-system.com/Byotrol%20introduction.ppt">http://dis-system.com/Byotrol%20introduction.ppt</a> .
	English Language Translation of FR 2 588 835, dated April 24, 1987.

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U.S. PATENT DOCUMENTS						
Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	Letter dated October 14, 2002, from Lee Hanson to Walter MacKay, regarding "Byotrol Sample - Broad Band & Long Lasting Efficacy for Foam."					
Examiner			Date Considered			
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.						
Form PTO 1449			Patent and Trademark Office - U.S. Department of Commerce			